

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001

03 MDL 1570 (GBD) (SN)  
ECF Case

This document relates to:

*Ashton, et al. v. al Qaeda Islamic Army, et al.*, 02-CV-6977 (GBD)(SN)

James P. Kreindler, Esq., hereby states under penalty of perjury that:

1. I am an attorney representing the *Ashton* plaintiffs in the above-captioned litigation.

I submit this declaration in support of the motion to vacate a final judgment for compensatory and punitive damages as to the Estate of Beverly L. Curry Only. We make this request to vacate the judgment because a subsequent judgment was issued shortly after the initial judgment, creating duplicate judgments for the same party. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

2. This Court issued an original judgment on behalf of the Estate of Beverly L. Curry on February 12, 2020. *See* MDL ECF No. 5926 (02-cv-6977 ECF 1262) at 5 line 97.

3. We have now learned that after the Estate of Beverly L. Curry was issued a judgment on February 12, 2020, another judgment was issued for the Estate of Beverly L. Curry on February 18, 2020, in connection with the *Burnett* consolidated action (15-cv-9903 (S.D.N.Y.) (GBD) (SN)). *See* MDL ECF No. 5975 at 7, line 135.

4. After conferring with counsel in the *Burnett* action, we determined that moving to vacate the instant judgment issued in the *Ashton* matter was in the best interest of the Estate of Beverly L. Curry.

5. Accordingly, I respectfully request that the Court vacate the Order and Judgment issued to the Estate of Beverly L. Curry only, appearing at MDL ECF No. 5926 (02-cv-6977 ECF

No. 1262) at 5, line 97, while leaving all other judgments appearing on that Order (MDL ECF No. 5926; 02-cv-6977 ECF No. 1262) intact and undisturbed.

Dated: August 10, 2020  
New York, NY

/s/ James P. Kreindler  
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